

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WHITE OAK GLOBAL ADVISORS LLC,

Plaintiff,

-v-

THOMAS M. CLARKE, et al.,

Defendants.

24-cv-2128 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

On June 7, 2024, plaintiff White Oak Global Advisors LLC filed a motion for summary judgment. See ECF No. 15. After holding oral argument on the motion, and upon due consideration of the parties' written submissions, the Court hereby denies plaintiff's motion. An Opinion explaining the reasons for this ruling will issue in due course.

The parties should call into Chambers on December 12, 2024, at 11 a.m., to set a schedule for discovery. A docket entry will follow providing the call-in details for the conference. The Court advises the parties that discovery in this case will be cabined, both in temporal scope and subject matter. Specifically, discovery will be narrowly constrained to the sale of collateral (i.e., those assets discussed in the parties' summary-judgment briefing) and to how the proceeds of those sales were allocated (e.g., whether applied to one of the loan obligations guaranteed by defendants, to another loan obligation, to fees and sale expenses, or to tax liability).

The Clerk of Court is respectfully directed to close docket entry number 15.

SO ORDERED.

New York, NY
December 9, 2024



JED S. RAKOFF, U.S.D.J.